

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**In re: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION**

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) **MDL No. 1456**
) **Master File No. 01-CV-12257-PBS**
) **Subcategory Case No. 06-11337**
) **Hon. Patti B. Saris**
)

THIS DOCUMENT RELATES TO:

*United States of America ex rel. Ven-A-Care of the
Florida Keys, Inc., et al. v. Dey, Inc., et al.,*
Civil Action No. 05-11084-PBS

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) **Magistrate Judge**
) **Marianne B. Bowler**
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**DECLARATION OF SARAH L. REID IN SUPPORT OF
DEY'S OPPOSITION TO UNITED STATES' MOTION TO
EXCLUDE CERTAIN OPINIONS OF W. DAVID BRADFORD, PH.D.**

SARAH L. REID declares, pursuant to 28 U.S.C. § 1746, that:

1. I am a member of the law firm of Kelley Drye & Warren LLP, counsel to Dey, Inc., Dey L.P., Inc., and Dey L.P. (collectively "Dey"). I am admitted to practice law in the State of New York and have been admitted *pro hac vice* in this action.
2. I make this Declaration in support of Dey's Motion for a Finding of Spoliation and for Sanctions.
3. The basis for my knowledge is my review of the files maintained by Kelley Drye & Warren LLP as part of its representation of Dey, including the documents attached hereto, and my own personal knowledge of the facts and circumstances set forth herein.
4. A true and correct copy of excerpts from the deposition of Ronald Hartman, dated 7/23/09, is attached as Exhibit 1.
5. A true and correct copy of excerpts from trial testimony in *In Re: Pharmaceutical Industry Average Wholesale Price Litigation*, dated 11/20/2006, is attached as Exhibit 2.

6. A true and correct copy of excerpts from deposition of Robert Vito, dated 2/6/08, is attached as Exhibit 3.

7. A true and correct copy of excerpts from the deposition of Stephen Schondelmeyer, dated 2/26/09, is attached as Exhibit 4.

8. A true and correct copy of the March 9, 2009 Declaration of Stephen Schondelmeyer in Support of Motion for Preliminary Injunction of AB 1183 Rate Reductions for Pharmacies and Adult Day Health Care Centers in California Pharmacists Association, et al. v. Maxwell-Jolly is attached as Exhibit 5.

9. A true and correct copy of excerpts from the deposition of Neil Warren, dated 9/8/08, is attached as Exhibit 6.

10. A true and correct copy of excerpts from the deposition of Stanley Rosenstein, dated 5/19/09, is attached as Exhibit 7.

11. A true and correct copy of excerpts from the deposition of Mark-Richard Butt, dated 1/26/10, is attached as Exhibit 8.

12. A true and correct copy of excerpts from the deposition of Larry Reed, dated 10/2/08, is attached as Exhibit 9.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 17, 2010.

/s/ Sarah L. Reid
Sarah L. Reid

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on March , a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Sarah L. Reid

Sarah L. Reid